

IFW

02910.000090



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
JUN KOIDE ) Examiner: A. Sever  
Application No.: 10/602,879 ) Group Art Unit: 2851  
Filed: June 25, 2003 )  
For: PROJECTION TYPE IMAGE ) June 17, 2004  
DISPLAY APPARATUS AND :  
IMAGE DISPLAY SYSTEM )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §1.143

Sir:

Applicant respectfully traverses the restriction requirement set forth in the Office Action mailed May 21, 2004.

In the action, it was alleged that claim Groups I and II are distinct because they are related as combination and subcombination and because they have acquired a separate status in the art as shown by their different classification. These contentions are respectfully traversed. It is submitted that the amount of effort required by the Patent and Trademark Office would be lessened by permitting all of the claims presently in the application to be prosecuted in a single application. The alternative is to proceed with the filing of another application, consisting of the same disclosure, and being subjected to substantially the same search, perhaps by a different

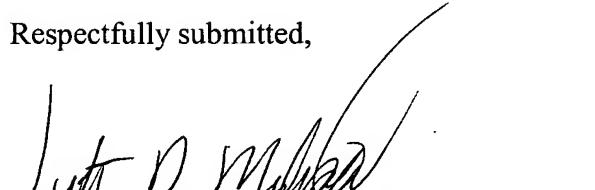
Examiner on a different occasion, with the resultant burden on the Patent and Trademark Office. In this regard, it is noted that the claims of both groups are classified in Class 353. Accordingly, it is respectfully requested that the requirement for restriction be reconsidered and the claims presently in the application be prosecuted in a single application.

Nevertheless, in order to comply with the requirements of 37 C.F.R. §1.143, Applicant provisionally elects the claims of Group I, namely Claims 1-7.

Due consideration and prompt passage to issue are respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



---

\_\_\_\_\_  
Attorney for Applicant  
Scott D. Malpede  
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

SDM:mm

DC\_MAIN 169294v1